

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 26550 of 2006(I)

AGAINST THE ORDER IN EP 160/2006 IN
OS.491/2003 of MUNSIFF COURT, PARAVUR

.....

PETITIONER:

LILLY, AGED 65 YEARS,
W/O.KAIMATHIRUTHY CHEEKU, PUTHENVELIKKARA,
PUTHENVELIKKARA VILLAGE, ERNAKULAM.

BY ADV. SRI.P.K.SAJEEV

RESPONDENT:

ST.THOMAS MARANAVASYA SAHAYA SANGHAM,
THIRUTHOOR, PUTHENVELIKKARA, REG.NO.255/86,
REPRESENTED BY ITS MANAGING DIRECTOR,
K.T.FRANCIS, S/O.THOMAS, AGED 62 YEARS,
MUTTIKKAL, THIRUTHOOR, PUTHENVELIKKARA VILLAGE.

BY ADV. SRI.B.RAMACHANDRAN
SMT.JOLIMA GEORGE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC.26550/06

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF EP. 160/06 DT.12.4.06 IN O.S.491/03 OF MUNSIFF'S COURT, N.PARAVUR.

EXT.P2 – TRUE COPY OF COUNTER DT.31.8.06 IN EP.160/06 IN DO. DO.

EXT.P3 – TRUE COPY OF B DIARY IN EP.160/06 IN DO.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

.....
W.P.(C)No.26550 OF 2006
.....

DATED THIS THE 3RD JULY, 2007

J U D G M E N T

It is submitted by Mr.P.K.Sajeev, counsel for the petitioner that the petitioner has complied with the condition imposed by this Court on 10.10.2006 that a sum of Rs.10,000/- shall be paid towards the decree-debt. Mr.B.Ramachandran, counsel for the respondent submits that the balance as of now will be roughly Rs.12,000/-.

2. Having regard to the rival submissions made at the Bar, I am of the view that the only relief which the petitioner can aspire for now is some more time in the matter of liquidating the decree debt. Accordingly the Writ Petition will stand disposed of directing that the order of stay presently passed will continue for another four months from today. It is open to the petitioner to pay the balance decree-debt either in a lump or in monthly instalments in the meanwhile. At any rate, the stay order will not continue beyond four months.

(PIUS C.KURIAKOSE, JUDGE)

tgl

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